

EXHIBIT G

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PAVLE ZIVKOVIC, on behalf of himself and
others similarly situated,

Plaintiff,

v.

LAURA CHRISTY LLC d/b/a VALBELLA,
LAURA CHRISTY MIDTOWN LLC, DAVID
GHATANFARD, and GENCO LUCA,

Defendants.

(Filed under seal)

17-CV-00553-GHW

**TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE FOR
ATTACHMENT**

Upon consideration of Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for Order of Attachment, Plaintiffs Memorandum of Law in Support of Plaintiffs' Motion for a Temporary Restraining Order, and the Declaration of Lucas C. Buzzard together with the Exhibits thereto, the Court makes the following findings:

WHEREAS this action was tried to a jury and, on April 11, 2022, the jury rendered a verdict in favor of the Subclasses that the Court certified on November 13, 2018 (Dkt. No. 147); and

WHEREAS on June 22, 2022, the Court entered judgment in favor of the Subclasses consistent with the verdict rendered by the jury and against Defendants Laura Christy LLC, Laura Christy Midtown LLC, and David Ghatanfard, jointly and severally, (Dkt. No. 324), and entered a partial judgment under Federal Rule of Civil Procedure 54(b) on July 4, 2023, (Dkt. No. 424); and

WHEREAS the entirety of the judgment in favor of the Subclasses remains due and outstanding; and

WHEREAS Plaintiffs intend to bring turnover proceedings by motion in this action against non-party Rosey Kalayjian as the transferee of Judgment Debtor David Ghatanfard's

assets and property pursuant to N.Y. C.P.L.R. § 5225(b) and New York’s Voidable Transactions Act, N.Y. Debt. & Cred. Law § 273, as made applicable to this action by Federal Rule of Civil Procedure 69; and

WHEREAS Plaintiffs have moved for an order of attachment on notice pursuant to N.Y. C.P.L.R. § 6210, in which they seek to attach property and assets transferred to Ms. Kalayjian by Judgment Debtor Ghatanfard (the “Transferred Assets”); and

WHEREAS Plaintiffs have demonstrated by the evidence submitted in support of their Motions the required likelihood of success on their turnover proceedings against Ms. Kalayjian; and

WHEREAS the further transfer of the Transferred Assets by Ms. Kalayjian will result in irreparable injury to Plaintiffs if the relief is not granted; and

WHEREAS, if Ms. Kalayjian is given notice of Plaintiffs’ application, she is likely to conceal, transfer, or otherwise dispose of the Transferred Assets; and

WHEREAS, the balance of potential harm to Ms. Kalayjian, if any, if a temporary restraining order required her to maintain only normal course transactions for living expenses in any event not to exceed \$10,000 per transfer until Plaintiffs’ Motion for an attachment on notice is decided is far outweighed by the harm to Plaintiffs if the requested relief is not granted,

It is **HEREBY ORDERED**, that Ms. Kalayjian show cause before the Honorable Gregory H. Woods, in Room 12C of the United States District Court for the Southern District of New York, Daniel Patrick Monynihan U.S. Courthouse at 500 Pearl Street, New York, NY, on July 19, 2023, at 4:00 p.m., or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 69 of the Federal Rules of Civil Procedure and N.Y. C.P.L.R. § 6210, as follows:

1. Attaching any funds or other assets, whether real or personal, tangible or intangible, presently existing or hereafter arising, which could be assigned or transferred as provided by N.Y. C.P.L.R. § 5201, in which Rosey Kalayjian has an interest, to the extent of such interest, and upon any debts in which Rosey Kalayjian claims a right, as will satisfy the sum of \$3,935,555.68;
2. Attaching Rosey Kalayjian's ownership interest in Oak Grove Road, LLC;
3. Attaching Rosey Kalayjian's ownership interest in the real property located at 56 Oak Grove Road, Southampton, New York; and
4. Granting such other relief as the Court deems equitable and just.

It is further **ORDERED** that, sufficient reason having been shown therefore, pending hearing of Plaintiffs' Motion for attachment, Rosey Kalayjian and her successors, assigns, agents, employees, officers, attorneys and all other persons acting in concert or in participation with her are temporarily restrained and enjoined, pursuant to N.Y. C.P.L.R. § 6210, as made applicable to this action by Federal Rule of Civil Procedure 69, from:

1. Transferring, encumbering, removing, or dissipating any funds or other assets, wherever held, in Rosey Kalayjian's name and/or for Rosey Kalayjian's benefit without prior Court approval, except for ordinary course transactions for living expenses that, in any event, shall not exceed \$10,000 per transaction;
2. Transferring, encumbering, removing, or dissipating Rosey Kalayjian's ownership interest in Oak Grove Road, LLC; and
3. Transferring, encumbering, removing, or dissipating Rosey Kalayjian's ownership interest in the real property located at 56 Oak Grove Road, Southampton, New York.

It is further **ORDERED** that an undertaking in the amount of \$13,000.00 be posted by Plaintiffs with the Clerk of Court prior to July 7, 2023 at 2:00 p.m. noon of that day.

It is further **ORDERED** that Plaintiffs serve a copy of this Order to Show Cause and all the papers submitted in support thereof on:

1. Rosey Kalayjian's counsel in this action:
Fred L. Seeman
Law Office of Fred L. Seeman
32 Broadway, Suite 1214
New York, NY 10004
Email: fred@seemanlaw.com
On or before July 7, 2023, by hand or electronic mail.
2. Counsel for Judgment Debtors Laura Christy LLC, Laura Christy Midtown LLC, and David Ghatanfard in this action:
Maria Lousia Bianco
Dealy Silberstein & Braverman LLP
225 Broadway
Suite 1405
New York, NY 10007
Email: mbianco@dsblawny.com
Neal Sanford Comer
Neal S Comer, Attorney at Law
81 Main Street, Suite 205
White Plains, NY 10601
Email: comeresq@aol.com
Leonard I. Spielberg
Harold, Salant, Strassfield & Spielberg
81 Main Street, Suite 205
White Plains, NY 10601
Email: lenspielberg@aol.com
On or before July 7, 2023, by hand or electronic mail.

It is further **ORDERED** that Rosey Kalayjian's brief and supporting papers, if any, in opposition to Plaintiffs' Motion for Order of Attachment shall be filed with the Court on ECF and served upon Plaintiffs' counsel, Joseph & Kirschenbaum LLP, 32 Broadway, Suite 601 New York, NY 10004, lucas@jk-llp.com, on or before July 12, 2023.


It is further **ORDERED** that Plaintiffs' reply brief and supporting papers, if any, shall be filed with the Court on ECF and served on counsel for Ms. Kalayjian and Judgment Debtors on or before July 14, 2023.

It is further **ORDERED** that this order and all the papers submitted in support thereof shall remain under seal until July 19, 2023. Any application to extend the period during which these documents remain under seal must be submitted to the Court in writing no later than two business days before the expiration of such period.

Based on the foregoing, Plaintiffs' motion for a temporary restraining order, Dkt. No. 419, is **GRANTED** as detailed above. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 419.

SO ORDERED

SIGNED this fifth day of July, 2023, at 7:34 p.m.


Hon. Gregory H. Woods, U.S.D.J.